

***Testimony Submitted to the Committee on Government Administration  
and Elections***

***Testimony of Ilene Frank  
Chief Curator  
Connecticut Historical Society:***

**H.B. 5499: AN ACT CONCERNING THE PRESERVATION OF HISTORICAL  
RECORDS AND ACCESS TO RESTRICTED RECORDS IN THE STATE  
ARCHIVES**

Good Morning Senator Cassano, Representative Jutila, and distinguished members of the Government Administration and Elections Committee.

My name is Ilene Frank and I am the Chief Curator at the Connecticut Historical Society.

The Connecticut Historical Society (CHS) was established in 1825 and is a private, nonprofit, educational organization. It is the state's official historical society and one of the oldest in the nation. The CHS houses a museum, library, and the Edgar F. Waterman Research Center that are open to the public. Our collection includes more than four million manuscripts, graphics, books, artifacts, and other historical materials accessible at our campus and on loan to other organizations. The Connecticut Historical Society's collection, programs and exhibits help Connecticut residents connect with each other, have conversations that shape our communities, and make informed decisions based on our past and present.

I am here to testify in support of Raised Bill 5499, An Act Concerning the Preservation of Historical Records and Access to Restricted Records in the State Archives. Recently, exemptions to the Freedom of Information statutes have created barriers and confusion over access to historical records in the State Archives. When exemptions are created, there is often little consideration given to the records' future historical importance and in allowing access to the record after a reasonable amount of time has passed. Establishing a uniform time period for accessing records, as is the case in many states and with the National Archives, increases transparency and improves agency efficiency. Raised Bill 5499 would address these concerns by lifting any restrictions 75 years after the creation of any records other than medical records and by lifting any restrictions on medical records 50 years after the death of the individual who is the subject of such record.

Medical records help provide a complete account of the human experience and enhance the biographies of our predecessors. These documents provide the data that future historians and genealogists will use when they compile the histories that tell the stories of individuals. This information is important to help understand how certain medical conditions may have affected individuals and their families, as well as any effects on the region(s) where the individuals and families may have lived.

When it comes to the history of medicine, being able to go back and look at how people were treated medically, allows us to track changes over time. We learn which methodologies worked and which did not. We can document how the introduction of certain medical practices changed rates of childhood diseases and mortality. We learn how our own attitudes have changed toward various diseases of the body and the mind. Access to historical records and medical records allows researchers, historians, and individuals to more fully explore our history.

Much of the historical research on families and individuals is conducted by family descendants. Many will reach out to a professional for assistance in finding information on the family. Being able to access historic medical records will help professional and amateur genealogists have a more complete understanding of the people they are researching.

According to the U.S. Department of Health and Human Services, the federal Health Insurance Portability and Accountability Act (HIPAA) “privacy rule” protects the individually identifiable health information about a decedent for 50 years following the date of death of the individual. This period of protection balances the privacy interests of surviving relatives and other individuals with a relationship to the decedent, with the need for archivists, biographers, historians, and others to access old or ancient records on deceased individuals for historical purposes. It seems reasonable for the State of Connecticut to follow the same guidelines used by federal government and many state governments.

Historians are sensitive to the reasons for not opening medical records while a person is alive, but 50 years after death moves the exposure two generations after a person’s life has ended. We believe that this well protects individual privacy and follows federal and generally accepted protocols.

We welcome the opportunity to work with you to help craft legislation that ensures the Connecticut Historical Society and other heritage organizations will be able to carry out our mission of connecting you and the story of Connecticut.

Thank you,

Ilene Frank  
Chief Curator, Connecticut Historical Society